



Docket No. : ZAY-99-029

14

DECLARATION & POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My correct residence, post office address and citizenship are stated below next to my name.

I believe myself to be the original, first and sole inventor (if only one name is listed below) or an original and first joint inventor (if more than one name is listed below) of the subject matter which is disclosed and claimed and for which a patent is sought on the invention entitled:

"A METHOD AND APPARATUS FOR DYNAMIC LINK DRIVER CONFIGURATION"

The specification of this subject matter:

- is attached hereto.
- was filed on November 1, 1999;
was assigned serial No. 09/431,703;
which was amended on _____.

I hereby state that I have reviewed and understand the contents of the above-identified patent application, including the claims, as amended by any amendment(s) referred to above. I do not know and do not believe that the claimed invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (for a utility patent application) or six months (for a design patent application) prior to this application.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. §1.56(a).

I hereby claim foreign priority benefits under 35 U.S.C. §119 (a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Claimed

Number	Country	Month/Day/Year Filed	Yes	No
Number	Country	Month/Day/Year Filed	Yes	No
Number	Country	Month/Day/Year Filed	Yes	No

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

Application Number	Filing Date
Application Number	Filing Date



I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in these prior United States application(s) in the manner provided by 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

Application No.	Filing Date	Status (Issued, Pending, Abandoned)
Application No.	Filing Date	Status (Issued, Pending, Abandoned)
Application No.	Filing Date	Status (Issued, Pending, Abandoned)
Application No.	Filing Date	Status (Issued, Pending, Abandoned)

I hereby appoint Kenneth D'Alessandro, Registration No. 29,144; Timothy Brisson, Registration No.: 44,046; Michael Brandt, Registration No.: 39,119; Robert Hall, Registration No.: 39,209, Jonathan Velasco, Registration No.: 42,200, Michael Kerr, Registration No.: 42,722 and Victor Gallo, Registration No.: 41,768, as attorneys of record with full power of substitution and revocation, to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith, and certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment, a copy of which is attached, from the inventor(s) of the patent application identified above.

Please send all correspondence and direct all telephone calls to:

Jonathan Velasco
 Sierra Patent Group, Ltd.
 P.O. Box 6149
 Stateline, NV 89449
 Telephone (775) 586-9500

I, the undersigned, declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

FULL NAME OF INVENTOR 1		FIRST Name Steven	MIDDLE Initial(s) W.	LAST Name Brown
RESIDENCE AND CITIZENSHIP		State or Foreign Country San Jose		Country of Citizenship United States
POST OFFICE ADDRESS	Number and Street 1708 Gladstone Avenue		City San Jose	State or Country California
				Zip Code 95124

I further declare that all statements made herein of my own knowledge are true and that all statements made upon information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1

Date _____

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Applicant or Patentee: Steve W. Brown

Serial or Patent No.: 09/431,703

Filed or Issued: Filed November 1, 1999

For: **"A METHOD AND APPARATUS FOR DYNAMIC LINK DRIVER CONFIGURATION"**

**VERIFIED STATEMENT (DECLARATION) CLAIMING
SMALL ENTITY STATUS (37 C.F.R. 1.9(f) and 1.27(c))
SMALL BUSINESS CONCERN**

I hereby declare that I am

- the owner of the small business concern identified below:
- an official of the small business concern identified below and empowered to act on its behalf.

NAME OF BUSINESS: Zayante, Inc.

ADDRESS OF BUSINESS: 269 Mount Hermon Road, Suite 200, Scotts Valley, California 95066

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed, to and remain with the small business concern identified above with regard to the invention, entitled:

"A METHOD AND APPARATUS FOR DYNAMIC LINK DRIVER CONFIGURATION"

by inventor(s): Steve W. Brown

described in:

- the specification filed herewith
- application serial No. 09/431,703, filed November 1, 1999.
- patent No. _____, issued _____.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than an inventor who qualifies as an individual inventor pursuant to 37 C.F.R. §1.9(c), who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which

would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).*

*Note: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

FULL NAME: Zayante, Inc.

ADDRESS: 269 Mount Hermon Road, Suite 200, Scotts Valley, California 95066

Individual Small Business Concern Nonprofit Organization

FULL NAME:

ADDRESS:

Individual Small Business Concern Nonprofit Organization

FULL NAME:

ADDRESS:

Individual Small Business Concern Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which the verified statement is directed.

Zayante, Inc.
269 Mount Hermon Road, Suite 200
Scotts Valley, CA 95066


Signature

1/27/00
Date

PRASHANT KANHERE
Print Name

PRESIDENT
Title

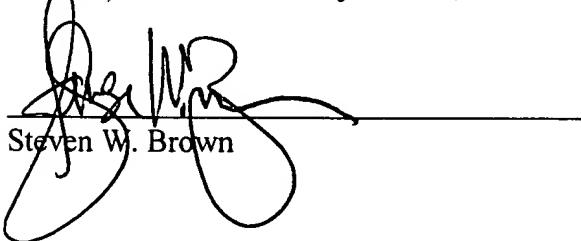
ASSIGNMENT

WHEREAS, I, Steven W. Brown, a citizen of the United States, residing at 1708 Gladstone Avenue, San Jose, California 95124, have invented "**A METHOD AND APPARATUS FOR DYNAMIC LINK DRIVER CONFIGURATION**" for which I have executed application papers for a U.S. patent thereon which was filed on November 1, 1999, serial no. 09/431,703; and

WHEREAS, Zayante, Inc., a California corporation, having a place of business at 269 Mount Hermon Road, Suite 200, San Jose, California 95066, is desirous of acquiring the exclusive right, title and interest in and to said invention and in and to the Letters Patent to be granted and issued therefore in the United States of America and its territories and possessions, and all countries foreign thereto;

NOW, THEREFORE, for a valuable consideration, the receipt of which is hereby acknowledged, I, Steven W. Brown, do sell, assign, transfer and set over unto the said "Zayante Inc.", its successors and assigns, the full and exclusive right, title and interest in and to said invention, and in and to any and all Letters Patent to be granted and issued therefor, not only for, to and in the United States of America, its territories and possessions, but also for, to and in all other countries including all priority rights under the International Convention; and I hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to said Zayante, Inc., its successors and assigns, in accordance with this Assignment.

WITNESS MY HAND at San Jose, California, this
27th day of January, 2000.


Steven W. Brown

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